DOCUMENT RESUME

ED 463 083 PS 030 226

TITLE	Invest in Kids, Invest in Kansas: Maintaining Our Commitment to Children.
INSTITUTION	Kansas Action for Children, Inc., Topeka.
SPONS AGENCY	Annie E. Casey Foundation, Baltimore, MD.
PUB DATE	2001-00-00
NOTE	7p.
AVAILABLE FROM	Kansas Action for Children, Inc., 3360 SW Harrison, Topeka, KS 66611. Tel: 785-232-0550; Fax: 785-232-0699; e-mail: kac@kac.org; Web site: http://www.kac.org.
PUB TYPE	Opinion Papers (120)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	*Budgeting; *Child Advocacy; *Children; Public Policy; Retrenchment; State Legislation; State Programs
IDENTIFIERS	*Kansas; *Tobacco Settlement 1998

ABSTRACT

This pamphlet presents the concerns of child advocates related to the use of Kansas' portion of the Master Tobacco Settlement for improving the health and well-being of children and youth as legislated in 1999. This state legislation created the Kansas Endowment for Youth Fund (KEY) to receive the tobacco monies, the Children's Initiative Fund (CIF) to receive funds from the Endowment, and the Kansas Children's Cabinet, charged with advising the Governor and Legislature how to use the CIF. The CIF provides additional monies for programs and projects directly or indirectly beneficial to the physical and mental health, welfare, safety, and well-being of Kansas children. This brochure emphasizes the importance of legislators having a clear sense of the statutory limits on CIF monies and that the funds not be used to replace monies appropriated from the state general fund. The brochure asserts that additional defining features of KEY and CIF funds argue in favor of maintaining the integrity of the CIF: (1) emphasis on prevention from an early age; (2) focus on addressing children's needs at the community level; and (3) strict accountability standards. The Smart Start Kansas program is described as best reflecting these features, and its potential benefits are delineated. The brochure concludes by urging lawmakers to fund the four programs singled out by the Children's Cabinet's testimony with general funds. A table delineates the Children's Cabinet recommendations for allocating CIF monies for fiscal year 2003. (KB)

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Invest in Kids, Invest in Kansas

Maintaining Our Commitment To Children

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A full commitment to our children's future requires that even in times of scarce resources we, at the very least, maintain current levels of spending for children.

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Just as legislators gathered at the state Capitol in mid-January to begin the 2002 Legislative session, children's advocates throughout Kansas rallied around one resolve: that those lawmakers can and should maintain the state's current investment in children.

In recent years, advocates have made significant gains for children. Perhaps the most striking of these is the Children's Initiatives Fund.

At the urging of Kansas Action for Children and other children's advocates, the Kansas Legislature in 1999 dedicated 95 percent of the state's portion of the Master Tobacco Settlement to improving the health and well-being of children and youth.

Thus was born a unique and exciting opportunity for Kansas communities to make their state an even better place for children to grow and thrive.

During the three years since it was created to oversee these funds, the 15-member Kansas Children's Cabinet has labored diligently to advise the Governor and Legislature on the best ways to use this windfall for children.

Meanwhile, a slumping economy that officials expect will result in a multimillion dollar revenue shortfall has compelled legislators to search for ways to stretch the budget. The glances some lawmakers are casting toward the tobacco settlement money, as well as toward other children's programs, concern children's advocates across Kansas.

A Boon For Children

The money promised to Kansas as a result of the November 1998 Master Tobacco Settlement between tobacco manufacturers and the states became a boon for children when the Kansas Legislature passed Senate Substitute for House Bill 2558. The legislation created:

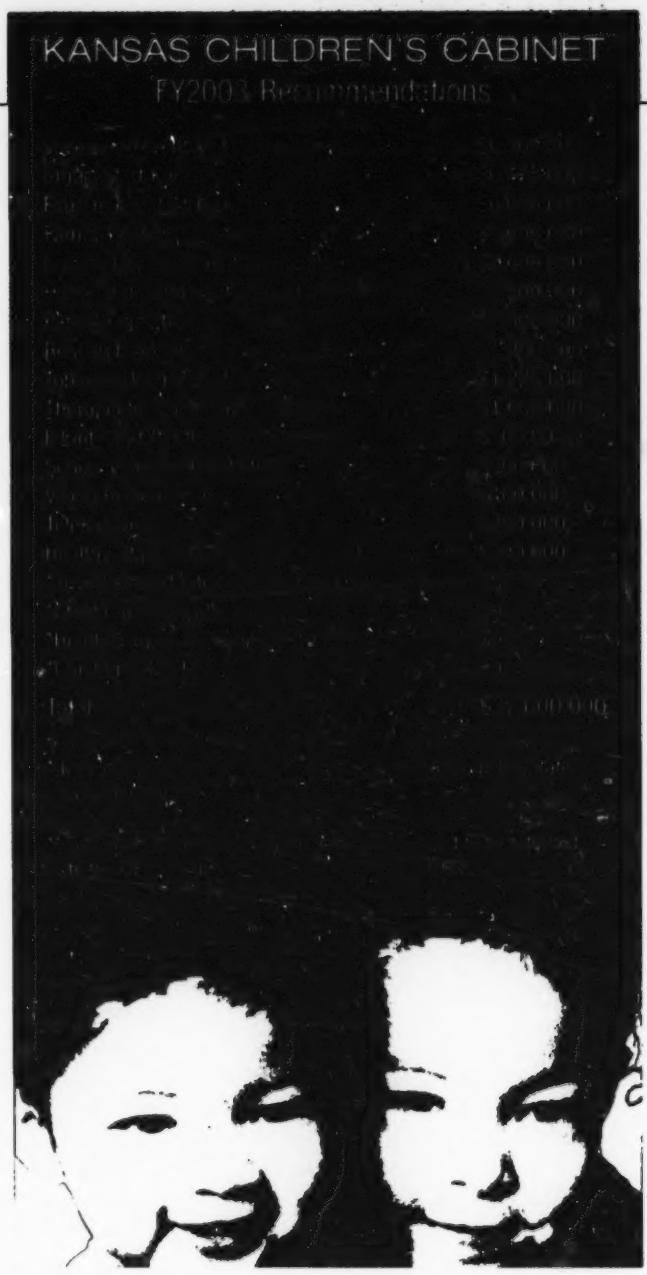
- *The Kansas Endowment for Youth Fund* (KEY) to receive moneys paid to Kansas by the tobacco companies.
- *The Children's Initiatives Fund* (CIF), which receives funds from the Endowment each year,
- *The Kansas Children's Cabinet*, charged with advising the Governor and Legislature how to use the CIF.

Proper use of CIF

Policy-makers who drafted the language for Bill 2558 knew that the tobacco settlement money could not be counted as a permanent source of revenue and that steps should be taken to avoid depending on that money as a perpetual source for State General Funds.

For this reason, the law mandates that the Children's Initiatives Fund should be used for "providing **additional** funding for programs, projects, improvements, services, and other purposes directly or indirectly beneficial to the physical and mental health, welfare, safety and the overall well-being of children in Kansas." [1]

The members of the Cabinet feel strongly that the Master Tobacco Settlement money present the state with an unprecedented opportunity to strategically and systematically improve the overall well-being of our children.



A look at some programs funded last year with CIF moneys reveals how important it is for legislators to have a clear sense of the statutory limits placed on the use of that money. The Children's Cabinet made that point in its November 2001 testimony to the Joint Committee on Children's Issues.

Their testimony quoted from statute: "Moneys allocated or appropriated from the Children's Initiatives Fund shall not be used to replace or substitute for moneys appropriated from the state general fund in the immediately preceding fiscal year." [2]

The Cabinet then stated that "...the Children's Cabinet clearly understands the intent of the law is to expand the scope of children's programs within the state rather than take the place of State General Funds for existing programs." [3]

The Cabinet further stated that current allocations from CIF for several programs — Child Care Subsidy, HealthWave, Children's Medicaid and Juvenile Graduated Sanctions Grants totaling $7,400,000 — "clearly supplanted State General Funds in contravention of the governing statute." [4]

The Cabinet then suggested that the Legislature fund these programs with State General Funds and restore the $7.4 million to the Children's Initiatives Fund.

Defining features of CIF

Aside from statutory restrictions placed on the use of KEY and CIF funds, three defining features – features often not shared by programs for children funded by State General Funds – argue in favor of maintaining the integrity of CIF. These defining features are:

- An emphasis on prevention and investing in children at an early age,
- A focus on addressing children's needs at the community level,
- Strict standards of accountability.

All items that the Children's Cabinet recommends receive CIF funds for the next fiscal year have one or more of these features.

Smart Start Kansas

Perhaps these features are best reflected in Smart Start Kansas, a unique framework for enabling communities to improve their early childhood care and education services.

With its emphasis on prevention *and* its focus on children from birth through age 5, Smart Start potentially is one of the most significant state public policy developments of recent years.

For this reason, Smart Start's goal is to ensure all Kansas children enter school ready to learn, and grant requests must target children ages birth through 5.

Prevention

No one needs to be told the benefits of taking preventive measures. Prevention programs amply demonstrate that the savings in social and economic costs are substantial.

Potential Smart Start Benefits

Investing at an early age

Recent scientific studies show that the most profound changes in language, cognitive development and social skills take place during early childhood, from birth through age 5. More than 90 percent of brain development occurs during the first three years of life.

Such rapid development means the first years of a child's life are the most critical in determining school success and adult productivity. Investing in children **at an early age** can produce lasting benefits that will significantly improve the quality of their lives.

The challenge is finding spare dollars initially when so much has to be devoted to dealing with problems such as youth violence, low levels of school achievement, unhealthy and high-risk behaviors and juvenile crime rates.

Smart Start Kansas is laying the groundwork for a comprehensive preventive approach that can:

- Significantly reduce crime rates,
- Reduce the need for special education,
- Increase high school graduation and school achievement rates,
- Improve overall health.

Community-based response

The diversity of Kansas communities means that a one-size-fits-all approach does not make sense. Smart Start's built-in flexibility allows communities to develop an approach that best fits the needs of children and families.

Applications for Smart Start Kansas grants must come from nonprofit, community-based partnerships. A community partnership must include representatives from at least 12 of 17 groups, such as businesses, schools and colleges, religious groups, government offices, etc.

Strict accountability

Like all programs recommended for funding by the Children's Cabinet, Smart Start adheres to the statutory mandate to "emphasize programs and services that are data-driven and outcomes-based." [5]

Each of this past year's seven grant recipients are required to complete local evaluations that measure progress toward

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preferred outcomes using data indicators specified in their grant request.

Similar evaluations also are conducted at the state level. After examining progress reports submitted by last year's seven Smart Start grant recipients, the Children's Cabinet concluded that while not all stated objectives had been met by every grantee, appropriate progress was made.

Accordingly, the Cabinet is recommending that all of last year's grants be renewed.

In addition, three or four of the grantees will participate in a public/private partnership to improve oral health care. These programs will serve as a pilot for community-based services for children.

Voters know that a full commitment to our children's future requires that even in times of scarce resources we, at the very least, maintain current levels of spending for children.

The question remains as to whether lawmakers will share voters' understanding of the need to maintain efforts to improve child well-being.

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[1] Kansas Statute 38-2102, Paragraph (b).
[2] "Recommendations to the Governor and Kansas Legislature." Page 26. Kansas Children's Cabinet and Trust Fund. Testimony to the Joint Committee on Children's Issues, Nov. 28, 2001.
[3] Ibid.
[4] Ibid.
[5] Kansas Statute 38-2102, Paragraph (b).

Advocates would prefer that lawmakers give not one penny less for children

Maintain Our Investment

This year, the Cabinet clearly wishes to avoid future confusion over proper uses of the CIF. In its recommendation for fiscal year 2003, the Cabinet urges lawmakers to fund the four programs singled out in its November testimony through State General Funds.

The recommendations also show that Cabinet members are keenly aware of the difficult task facing lawmakers this year: the total recommended is roughly the same as – indeed, is slightly less than – the total amount appropriated for CIF spending last year.

Advocates would prefer that lawmakers give not one penny less for children.

And we're not alone. In a recent poll of frequent voters, 61 percent said prevention should have a higher priority than treatment or punishment.

Note:

Additional [illegible] contacting Kansas Action for Children [illegible] Hutchinson, Topeka, Kansas [illegible] or e-mail [illegible].